

****E-filed 4/15/11****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

U.S. BANK NATIONAL ASSOCIATION,

No. C 11-0570 RS

Plaintiff,

v.

ORDER DISMISSING ACTION

VICTORIANO VARELA, et al.,

Defendants.

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, plaintiff seeks leave of Court to dismiss this action voluntarily, without prejudice. Defendant Victoriano Varela has filed a letter relinquishing any and all claims to the real property in dispute, and indicating she has no interest in this litigation. Defendant Elsa Aguirre has filed a brief stating that she does not oppose dismissal as requested by plaintiff. As no grounds exist to deny plaintiff its choice to dismiss, nor is there any cause to impose conditions on such dismissal, plaintiff's motion is granted, and this action is hereby dismissed, without prejudice. The hearing set for April 21, 2011 is vacated, and the Clerk shall close the file.

Dated: 4/15/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE